



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,474	07/11/2001	Norman Wesley Gimbert	13DV-14215	9339
<div>7590 12/04/2007</div> <div>John S. Beulick Armstrong Teasdale LLP One metropolitan Sq., Suite 2600 St. Louis, MO 63102</div>				
			<div>EXAMINER</div> <div>ABEL JALIL, NEVEEN</div>	
			<div>ART UNIT</div> <div>2165</div>	<div>PAPER NUMBER</div>
			<div>MAIL DATE</div> <div>12/04/2007</div>	<div>DELIVERY MODE</div> <div>PAPER</div>

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/903,474

Applicant(s)

GIMBERT ET AL.

Examiner

Neveen Abel-Jalil

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 13, 14 and 16-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13, 14 and 16-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Remarks

1. In response to Applicant's Amendment filed on October 22, 2007, claims 1-11, 13-14, and 16-18 are pending.
2. Applicant's response has overcome some of the previously presented rejections under 35 U.S.C. 112, second paragraph. The remaining rejections under 112, second paragraphs are maintained because the Applicant has not offered adequate explanation. The Applicant merely pointed back to the same paragraphs in the specification, The Examiner used in raising the rejection. The rejection was raised in the first place since those paragraphs contained multiple descriptions of what could read on the claim language and the Examiner can't find the exemplary description to support the language in claims. The claim language used is not precise duplicate and therefore is open to interpretation in light of various descriptions in the specification. The Examiner is seeking to find proper support in the specification. Further clarification is still required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 1, 6, and 13 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01. The omitted elements are:

Art Unit: 2165

Specification paragraph 0018 teaches, "Each business entity hosts approximately half of the navigational pages that are accessible through system 7. Each navigational page includes links to data stored on each entities respective servers. The pages are coordinated such that the navigational structure is substantially identical for each business entity's users" and paragraph 30, both clearly indicate the WebPages and links are what changes and they maintained together with various information in a historical log all of which appears to be missing in the claims. **What is claimed is the term "portion" which is a relative term that changes with time and not equal to specified amount of "approximately half" found in the specification. The language of "**

5. "Substantially identical" is being interpreted to be "similar and not exactly the same" since there's no definition to ascertain otherwise in the specification. "Substantially" appears to be a term of degree and not quantitative. It's unclear if it's meant to read on the same content or same number of links or the same access point. "Identical" means exact copy and can't be as such assigned a relative adjective. Therefor, the examiner is broadly interpreting the recitation to be "a site map". Neither Applicant's remarks nor specification have not offered any explanation as to what is being measured to be "substantially identical"? Is the content being measured? Is it the schema? is it the layout? Is it the source of information or is it simply "branding"? Clarification is sought.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2165

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hobbs (U.S. Patent No. 6,523,022 B1) in view of DaCosta et al. (U.S. Patent No. 6,826,553 B1), and further in view of Blinn et al. (U.S. Patent No. 7,158,997 B2).

As to claim 6, Hobbs discloses a system of communicating information to a user via a computer including a browser, said system comprising:

a first server system controlled and operated by a first business entity comprising a first web server and a first database including data owned by the first business entity, said first web server coupled to said first database and to said network, said first web server displays a first web site populated with data from said first database at the user computer such that the first web site has a navigational structure (See Hobbs Figure 12, and see Hobbs Figure 13, Site Plan); and

a second server system controlled and operated by a second business entity comprising a second web server and a second database including data owned by the second business entity, said second web server coupled to said second database and to said network, said second web server displays at user computer a second web site populated with data from said second database, said first web site and said second web site synchronized to function together as a collaborative web site wherein at least a portion of the data included in the collaborative website is hosted from the first website by the first business entity and at least a portion of the data included in the collaborative website is hosted from the second website by the second business entity wherein the collaborative web site is hosted jointly by the first and second business entity,

Art Unit: 2165

and the data stored in said first server system database is accessible to a user browser via said second server system, and the data stored in said second server system database is accessible to the user browser via said first server system, and the collaborative website is displayed to the user enabling the user to access data stored in at least one of said first and second server system.

Hobbs does not teach at least one of said first database and said second database maintains a record of navigational structure changes in a spreadsheet format.

DaCosta et al. teaches at least one of said first database and said second database maintains a record of navigation changes in a spreadsheet format (See DaCosta et al. column 5, lines 13-25, also see DaCosta et al. column 6, lines 42-47, and see DaCosta et al. column 12, lines 1-4, and DaCosta et al. column 17, lines 40-46).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Hobbs by the teaching of DaCosta et al. to include recording changes in the structure of at least one of the first and second web sites in a spreadsheet format because it is well known in the art to utilize various applications including spreadsheets to store website log data.

Hobbs as modified still does not explicitly teach such that the second web site has a navigational structure substantially identical to the first web site navigation structure. Hobbs teaches site plan and site index which are navigational structures of a website in Figures 12 and 13.

Blinn et al. teaches such that the second web site has a navigational structure substantially identical to the first web site navigation structure (See Blinn et al. column 3, lines 14-22, and see Blinn et al. column 5, lines 4-12).

Art Unit: 2165

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have further modified Hobbs as modified by the teaching of Blinn et al. to include such that the second web site has a navigational structure substantially identical to the first web site navigation structure because it makes it easier to identify and combine similar structures thus keeping better management and control of websites.

As to claim 7, Hobbs as modified discloses wherein said data stored in said first server system and said second server system accessible to the user browser based on individual access privileges (See Hobbs column 10, lines 25-27).

9. Claims 1-5, 8-10, 13-14, 16, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hobbs (U.S. Patent No. 6,523,022 B1) in view of DaCosta et al. (U.S. Patent No. 6,826,553 B1), and further in view of Garrow et al. (U.S. Pub. No. 2002/0194160 A1), and further in view of Blinn et al. (U.S. Patent No. 7,158,997 B2).

As to claim 1, Hobbs discloses a method for communicating information between business entities in a collaborative development using a system including a first server system controlled and operated by a first business entity and a second server system operated by a second business entity, the first server system including a first web server hosting a website of the first business entity and a first database including data owned by the first business entity, the second server system including a second web server hosting a website of the second business

Art Unit: 2165

entity and a second database including data owned by the second business entity, said method comprising the steps of:

coupling the first web server to the first database controlled by the first business entity, wherein the first web server populates a first web site with data from the first database such that the first web site has a navigational structure (See Hobbs Figure 12, and see Hobbs Figure 13, Site Plan), the data including information that the first business entity wants to share with the second business entity (See Hobbs column 14, lines 50-65, wherein “first server system” deemed to include the original Web site of the business –i.e. “E&Y, Lexis/Nexis”);

coupling the second web server to the second database controlled by the second business entity, wherein the second web server populates a second web site with data from the second database, the data including information that the second business entity wants to share with the first business entity (See Hobbs column 25, lines 29-35, and Hobbs column 28, lines 44-60, also see Hobbs column 14, lines 50-65, wherein “second server system” deemed to include the “warehouse system”);

synchronizing the first web site and the second web site to function together as a collaborative web site wherein at least a portion of the data included in the collaborative website is hosted from the first website by the first business entity and at least a portion of the data included in the collaborative website is hosted from the second website by the second business entity wherein the collaborative web site is hosted jointly by the first and second business entity (See Hobbs column 3, lines 50-52, prior art., also see Hobbs column 7, lines 19-29, and see Hobbs column 10, lines 13-27); and

Art Unit: 2165

accessing the first web site and the data stored in the first server system database by a user associated with the second business entity via the collaborative website (See Hobbs column 25, lines 11-20);

accessing the second web site and the data stored in the second server system database by a user associated with the first business entity to select a link displayed on the collaborative website (See Hobbs column 25, lines 11-20, also see Hobbs Figure 6).

Hobbs does not teach recording changes in the structure of at least one of the first and second web sites in a spreadsheet format.

DaCosta et al. teaches recording changes in the structure of at least one of the first and second web sites in a spreadsheet format (See DaCosta et al. column 5, lines 13-25, also see DaCosta et al. column 6, lines 42-47, and see DaCosta et al. column 12, lines 1-4, and DaCosta et al. column 17, lines 40-46).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Hobbs by the teaching of DaCosta et al. to include recording changes in the structure of at least one of the first and second web sites in a spreadsheet format because it is well known in the art to utilize various applications including spreadsheets to store website log data.

Hobbs as modified still does not teach aircraft and aircraft engine information.

Garrow et al. teaches aircraft and aircraft engine information (See Garrow et al. page 6, paragraph 0058, also see Garrow et al. column 9, lines 47-67, also see Garrow et al. page 8, paragraphs 0068-0071).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have further modified Hobbs as modified by the teaching of Garrow et al. to include aircraft and aircraft engine information because providing specific records dealing with one industry allows for efficiency and effective tracking of information thereby reducing business costs associated with the aircraft industry.

Hobbs as modified still does not explicitly teach such that the second web site has a navigational structure substantially identical to the first web site navigation structure. Hobbs teaches site plan and site index which are navigational structures of a website in Figures 12 and 13.

Blinn et al. teaches such that the second web site has a navigational structure substantially identical to the first web site navigation structure (See Blinn et al. column 3, lines 14-22, and see Blinn et al. column 5, lines 4-12).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have further modified Hobbs as modified by the teaching of Blinn et al. to include such that the second web site has a navigational structure substantially identical to the first web site navigation structure because it makes it easier to identify and combine similar structures thus keeping better management and control of websites.

As to claim 2, Hobbs as modified discloses wherein said step of coupling the first web server to the first database further comprises the step of providing a first server system (See Hobbs column 11, lines 63-67, also see Hobbs column 14, lines 45-59) hosted by an aircraft

Art Unit: 2165

engine manufacturer (See Garrow et al. page 6, paragraph 0058, also see Garrow et al. column 9, lines 47-67, also see Garrow et al. page 8, paragraphs 0068-0071).

As to claim 3, Hobbs as modified discloses wherein said step of coupling the second web server to the second database further comprises the step of providing a second server system hosted by an aircraft engine manufacturer (See Garrow et al. page 6, paragraph 0058, also see Garrow et al. column 9, lines 47-67, also see Garrow et al. page 8, paragraphs 0068-0071).

As to claim 4, Hobbs as modified discloses wherein said step of accessing the first web site and the data stored in the first server system further comprises the step of accessing data from the first and second server systems based on individual access privileges (See Hobbs column 11, lines 63-67, also see Hobbs column 14, lines 45-59).

As to claim 5, Hobbs as modified discloses wherein said step of accessing data stored in the first server system further comprises the step of selectively accessing (See Hobbs column 11, lines 63-67, also see Hobbs column 14, lines 45-59) at least one of aircraft engine and aircraft data relating to at least one of general information data, plans and schedules data, propulsion systems data, and engineering data (See Garrow et al. column 9, lines 47-67, also see Garrow et al. page 8, paragraphs 0068-0071).

Art Unit: 2165

As to claim 8, Hobbs as modified discloses said first server system, said second server system hosted by a business partner (See Hobbs column 35, lines 27-35, wherein “partner” reads on “sponsor”).

Hobbs as modified still does not teach hosted by a turbine engine manufacturer.

Garrow et al. teaches hosted by a turbine engine manufacturer (See Garrow et al. page 6, paragraph 0058, also see Garrow et al. page 8, paragraphs 0068-0071).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have further modified Hobbs as modified by the teaching of Garrow et al. to include hosted by a turbine engine manufacturer because providing specific records dealing with one industry allows for efficiency and effective tracking of information thereby reducing business costs associated with the aircraft industry.

As to claims 9, and 10, Hobbs as modified discloses wherein at least one of said first database and said second (See Hobbs column 25, lines 12-17).

Hobbs as modified still does not teach database includes aircraft engine data relating to at least one of general information data, propulsion systems data, and engineering.

Garrow et al. teaches database includes aircraft engine data relating to at least one of general information data, propulsion systems data, and engineering (See Garrow et al. column 9, lines 47-67, also see Garrow et al. page 8, paragraphs 0068-0071).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have further modified Hobbs as modified by the teaching of Garrow et al. to include hosted by an aircraft engine manufacturer; hosted by a business partner of the aircraft engine

Art Unit: 2165

manufacturer; and at least one of plans and schedules, propulsion systems, and engineering because providing specific records dealing with one industry allows for efficiency and effective tracking of information thereby reducing business costs associated with the aircraft industry.

As to claim 13, Hobbs discloses a web-based communications system comprising:

a computer comprising a browser;

a network coupled to said computer (See Hobbs Figure 4, shows a networked computer with a browser);

a first server system controlled and operated (by a business) comprising a first web server and a first database, said first web server coupled to said first database and to said network, said first web server configured to display at said computer a first web site having navigation al structure (See Hobbs Figure 12, and see Hobbs Figure 13, Site Plan) and populated with data from said first database (See Hobbs column 14, lines 50-65, wherein “first server system” deemed to include the original Web site of the business –i.e. “E&Y, Lexis/Nexis”); and

a second server system controlled and operated (by a second business) comprising a second web server and a second database, said second web server coupled to said second database and to said network, said second web server configured to display at said computer a second web site populated with data from said second database (See Hobbs column 14, lines 50-65, wherein “second server system” deemed to include the “warehouse system”);

wherein said system is configured to:

synchronize said first web site and said second web site such that said first web site and said second web site function together as a collaborative web site wherein at least a portion of

Art Unit: 2165

the data included in the collaborative website is hosted from said first website and at least a portion of said data included in said collaborative website is hosted from said second website, and wherein said collaborative web site is hosted jointly by the first and second business entity, and the data stored in said first server system database is accessible to a user browser via said second server system, and the data stored in said second server system database is accessible to said user browser via said first server system and the collaborative website displayed to the user for accessing data stored in at least one of said first and second server system; and transmit information from said browser to at least one of said first server system and a second server system (See Hobbs column 3, lines 50-52, prior art., also see Hobbs column 7, lines 19-29, also see Hobbs column 9, lines 8-25, wherein “first system” and “second system” reads on “first network source” and “second network source”, and see Hobbs column 10, lines 20-27, wherein the claimed term “for accessing” is interpreted as intended use, and should be replaced with “to access”).

Hobbs does not teach at least one of said first database and said second database maintains a record of navigation changes in a spreadsheet format.

DaCosta et al. teaches at least one of said first database and said second database maintains a record of navigation changes entered by a user in a spreadsheet format (See DaCosta et al. column 5, lines 13-25, also see DaCosta et al. column 6, lines 42-47, and see DaCosta et al. column 12, lines 1-4, and DaCosta et al. column 17, lines 40-46).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Hobbs by the teaching of DaCosta et al. to include recording changes in the structure of at least one of the first and second web sites in a spreadsheet format because it

Art Unit: 2165

is well known in the art to utilize various applications including spreadsheets to store website log data.

Hobbs as modified still does not teach the business being an aircraft engine manufacturer and second business being a partner of the aircraft manufacturer.

Garrow et al. teaches the business being an aircraft engine manufacturer and second business being a partner of the aircraft manufacturer (See Garrow et al. page 6, paragraph 0058, also see Garrow et al. column 9, lines 47-67, also see Garrow et al. page 8, paragraphs 0068-0071).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have further modified Hobbs as modified by the teaching of Garrow et al. to include hosted by an aircraft engine manufacturer or a partner of the aircraft manufacturer because providing specific records dealing with one industry allows for efficiency and effective tracking of information thereby reducing business costs associated with the aircraft industry.

Hobbs as modified still does not explicitly teach such that the second web site has a navigational structure substantially identical to the first web site navigation structure. Hobbs teaches site plan and site index which are navigational structures of a website in Figures 12 and 13 (i.e. site map).

Blinn et al. teaches such that the second web site has a navigational structure substantially identical to the first web site navigation structure (See Blinn et al. column 3, lines 14-22, and see Blinn et al. column 5, lines 4-12).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have further modified Hobbs as modified by the teaching of Blinn et al. to include

· Art Unit: 2165

such that the second web site has a navigational structure substantially identical to the first web site navigation structure because it makes it easier to identify and combine similar structures thus keeping better management and control of websites.

As to claim 14, Hobbs as modified discloses said first server system hosted by a turbine engine manufacturer, said second server system hosted by an aircraft manufacturer (See Garrow et al. page 6, paragraph 0058, also see Garrow et al. column 9, lines 47-67, also see Garrow et al. page 8, paragraphs 0068-0071, wherein “turbine engine” reads on “jet engine”).

As to claims 16, and 18, Hobbs as modified discloses wherein said browser configured to display aircraft engine data relating to at least one of general information data, plans and schedules data, propulsion systems data, and engineering data (See Garrow et al. column 9, lines 47-67, also see Garrow et al. page 8, paragraphs 0068-0071).

10. Claims 11, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hobbs (U.S. Patent 6,523,022 B1) in view of DaCosta et al. (U.S. Patent No. 6,826,553 B1), further in view of Garrow et al. (U.S. Pub. No. 2002/0194160 A1), and further in view of Blinn et al. (U.S. Patent No. 7,158,997 B2) as applied to claims 2-3, 5-10, 13-14, 16, and 18 above, and still further in view of Glass et al. (U.S. Patent No. 6,278,965).

As to claim 11 Hobbs as modified teaches said first database and said second database (See Hobbs column 2, lines 47-51).

Art Unit: 2165

Hobbs as modified still does not teach wherein at least one of said database maintains a record of navigation changes.

Glass et al. teaches wherein at least one of said first database and said second database maintains a record of navigation changes (See Glass et al. column 5, lines 34-51, wherein “maintains a record” reads on “flight history”, also see Glass et al. column 22, lines 38-63, wherein “navigational changes” reads on “flight plans”).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have further modified Hobbs as modified by the teaching of Glass et al. to include wherein at least one of said first database and said second database maintains a record of navigation changes because the partnership will reduce business costs by introducing efficient information retrieval and processing.

As to claim 17, Hobbs as modified still does not teach wherein said browser configured to selectively display an historical log relating to navigational changes to said user interface.

Glass et al. teaches wherein said browser configured to selectively display an historical log (See Glass et al. column 5, lines 41-48) relating to navigational changes (See Glass et al. column 5, lines 34-51, wherein “maintains a record” reads on “flight history”, also see Glass et al. column 22, lines 38-63, wherein “navigational changes” reads on “flight plans”) to said user interface (See Glass et al. column 11, lines 12-22).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have further modified Hobbs as modified by the teaching of Glass et al. to include wherein said browser configured to selectively display an historical log relating to navigational

Art Unit: 2165

changes to said user interface because the partnership will reduce business costs by introducing efficient information retrieval and processing.

Response to Arguments

11. Applicant's arguments filed on 10/22/2007 have been fully considered but they are not persuasive.

Applicant's argument that "the cited reference DaCosta et al. does not teach at least one of said first database and said second database maintains a record of navigation changes in a spreadsheet format" is not deemed to be persuasive.

The claims recite "the navigational structure changes are entered by the user" thus making it a manual operations and in a broad sense is read simply on any user data entry made into a spread sheet program. The functionality is not being claimed to take place automatically once changes occur nor dynamically by the computing device itself. What in fact is being claimed is simply the storage of a selected type of a data into a table. It is well known in the art database art that all data is entered and stored in a computer or computer application according to a user's needs. It is also well known that the type of data recited is considered nonfunctional descriptive material falling under non-patentable subject matter, however, what is patentable is, how that data is used and in what type of structure it is being held. The data entry by the user and logging/storing in a spreadsheet steps would be performed the same regardless of the data. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of

Art Unit: 2165

patentability, *see In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir.1994).

More so, Applicant's specification (published version) paragraph 0030 states:

[0030] Navigation bar 110 also includes a link 150 to E & D (engineering and design), a link 152 to marketing/sales, a link 154 to engine billing, and a link 156 for net-meeting. Changes in the navigational structure of web pages 102 and 104 are documented and maintained in a spreadsheet format that is accessible through navigation bar 110. More specifically, all navigation change details, a url of the page changed, and a controlling party of the page are stored in an historical log.

Thus "navigational structure changes" are Not necessarily being tied to the graphical user interface (i.e. viewed or layout) instead it can be reasonably interpreted to having the "changes" stored in a log (i.e. internal or schema) which is clearly disclosed by the teachings in the cited references. More so, Applicant's remarks page 9 equating the specification's "historical log" with the claimed language of "spreadsheet format" which are not equivalent in the art. What is claimed is "an entry of changes to navigational structure" (i.e. simple data entry in spreadsheet application of website layout changes), thus DaCosta et al. by teachings of automatic formatting of various data forms related to layout of a website from source to destination to project "substantially identical" presentation by extracting relative website changes documented using MS Excel© reads on the argued limitation. Starting with DaCosta et al. Figure 12, column 11, lines 34-40, which presents Website hierarchy/tree view of what/where to navigate within the page, then referencing Figure 23, which shows the source of data to be Excel, thus changes to that website are recorded to spreadsheet. Furthermore, DaCosta et al.'s entire methodology is

Art Unit: 2165

directed to store all Website related data in spreadsheet application as taught in column 2, lines 15-38:

The data can be simply displayed or imported and stored in a database, for example, or can be further processed, for example, using a spreadsheet application, and even imported directly to one or more applications.

DaCosta et al. monitors websites including layout and collects their changes in a spreadsheet application.

Applicant's argument that "the cited reference Blinn does not teach that the second web site has a navigational structure substantially identical to the first web site navigation structure" is not deemed to be persuasive. Instead he teaches a standardized schema for two sites.

Applicant's argument that "schema can't represent "navigational structure"" is not found to be persuasive.

Schema is defined by google.com as: A diagrammatic representation of the structure or framework of something. It is the logical and physical definition of data elements, physical characteristics and interrelationships.

Also as: the shell, or blueprint, for all of the objects in the domain.

Thus it is a template modeling the structure of a document (i.e. shows what is included in the structure) in this case, the schematic changes (i.e. data deletion, relationship definition, links movement) equivalent to the claimed changes to the navigational structure are maintained in a log.

The context in which the Applicant appears to argue is not adequately claimed. If the applicant intends those "navigational changes" to be a "site map" or "Table-of-content" then it should be clearly stated in the claims. The specification covers additional elements that are

Art Unit: 2165

essential to the invention and necessary to the claims in order for this embodiment to be clearly supported by the claims. The claim language as it stands now is broad enough to read on storing record changes using spreadsheet format. Yet to cover "log file" which is in the specification but missing from the claims, the Examiner points to Blinn column 10, lines 21-32, wherein "change log" is taught.

The Examiner maintains that "historical log" should be recited in the claims since "log" as it is well known in the conventional database art is NOT a spreadsheet. A "log" is a code file that holds record transactions for a database system relative to internal structure (including schema).

Blinn clearly teaches partnering with the manufacturer to generate the Web page as a co-branded Web page using the same standardized schema imported and maintained by exporting product specification data to the manufacturer in one of an Excel spreadsheet format (XLS), thus both sites are synchronized by identical structure including recording/receiving all updates in spreadsheet format (See column 10, lines 35-55).

The remaining arguments appear to be duplicates and thus addressed above or were previously address in prior office actions.

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Roberge et al. (U.S. Patent No. 6,154,750) teaches computer screen showing how the data navigation structure is changed as the user moves down the hierarchy in the database.

Martin, Jr. et al. (U.S. Patent No. 6,610,105 B1) teaches mobile navigation metaphor.

Ostroff et al. (U.S. Pub. No. 2002/0013782 A1) teaches agent Bot gathers target information described in the SSDL and also records changes to the site navigation topology and to the structure of the pages on the site.

Jaffe et al. (U.S. Pub. No. 2002/0165799 A1) teaches feature product information stored in a database and uploaded to a Website.

Dutta et al. (U.S. Patent No. 7,162,526 B2) teaches the use of navigational bars for easy access to the navigation structure and offering of site map to describe the general layout of the website.

Art Unit: 2165

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 571-272-4074.

The examiner can normally be reached on 8:30AM-5:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christian P. Chace can be reached on 571-272-4190. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Neveen Abel-Jalil
Primary Examiner
December 1, 2007